

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

SENATE BILL 389

**48TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2008**

INTRODUCED BY

Gay G. Kernan

FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

AN ACT

RELATING TO EDUCATION; RECOGNIZING REGIONAL EDUCATION  
COOPERATIVES AS LOCAL EDUCATIONAL AGENCIES; MAKING AN  
APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 22-2B-3 NMSA 1978 (being Laws 1993,  
Chapter 232, Section 3, as amended) is amended to read:

"22-2B-3. REGIONAL EDUCATION COOPERATIVES AUTHORIZED.--

A. The [~~state board~~] department may authorize the  
existence and operation of "regional education cooperatives".  
Upon authorization by the [~~state board~~] department, local  
school boards may join with other local school boards or other  
state-supported educational institutions to form cooperatives  
to provide education-related services. Cooperatives shall be  
deemed individual state agencies administratively attached to

.171131.1

underscored material = new  
[bracketed material] = delete

underscored material = new  
[bracketed material] = delete

1 the department [~~of education~~]; provided that:

2 (1) pursuant to the rules of the [~~state board~~]  
3 department, cooperatives may own, and have control and  
4 management over, buildings and land independent of the director  
5 of the property control division of the general services  
6 department;

7 (2) cooperatives shall not submit budgets to  
8 the department of finance and administration but shall submit  
9 them to the department [~~of education~~]. The [~~state board~~]  
10 department shall, by rule, determine the provisions of the  
11 Public School Finance Act relating to budgets and expenditures  
12 that are applicable to cooperatives; and

13 (3) pursuant to the rules of the [~~state board~~]  
14 department, the [~~state superintendent~~] secretary may, after  
15 considering the factors specified in Section 22-8-38 NMSA 1978,  
16 designate a cooperative council as a board of finance with  
17 which all funds appropriated or distributed to it shall be  
18 deposited. If such a designation is not made or if such a  
19 designation is suspended by the [~~state superintendent~~]  
20 secretary, the money appropriated or to be distributed to a  
21 cooperative shall be deposited with the state treasurer.  
22 Unexpended or unencumbered balances in the account of a  
23 cooperative shall not revert.

24 B. Cooperatives are local educational agencies and  
25 are authorized to perform service functions for public schools.

.171131.1

